

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

FEDERAL DEPOSIT INSURANCE
CORPORATION, as receiver for
GUARANTY BANK,

Plaintiff,

v.

DEUTSCHE BANK SECURITIES, INC.,

Defendant.

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CIVIL NO. 1-14-CV-129-XR

ORDER ON MOTIONS TO EXCLUDE EXPERT TESTIMONY

On this date, the Court considered three of the motions to exclude expert testimony pending in this case. Plaintiff Federal Deposit Insurance Company (“FDIC”) moves to exclude the testimony of two experts for Defendant Deutsche Bank Securities, Inc. (“Deutsche Bank”): John Contino and Stephen Ryan. Deutsche Bank moves to exclude the testimony of three FDIC experts: John Finnerty, Norman Miller, and Dawn Molitor-Grennich. This order decides the motions on Contino (docket no. 180), Finnerty (docket no. 193), and Ryan (docket no. 182). A further order will decide the remaining motions on Miller and Molitor-Grennich.

This case is related to *FDIC v. RBS Securities, Inc.*, No. 1-14-126-XR. The parties—who share experts with that case—filed identical motions, responses, and replies in the two cases. Indeed, RBS and Deutsche Bank filed their documents jointly. The Court’s analysis of these motions in *RBS* is thus identical to its analysis of the motions in *Deutsche Bank*. Accordingly, the Court adopts the reasoning of the order in *RBS* on the motions to exclude

Contino, Finnerty, and Ryan. *See FDIC v. RBS Securities, Inc.*, No. 1-14-126-XR, ECF No. 222.

Thus, Plaintiff FDIC's motion to exclude the testimony of John Contino (docket no. 180) is DENIED and Defendant Deutsche Bank's motion to exclude the testimony of John Finnerty (docket no. 193) is GRANTED IN PART and DENIED IN PART, as indicated in the above-referenced order.

Further, Plaintiff FDIC's motion to exclude the testimony of Stephen Ryan (docket no. 182) is GRANTED IN PART and DENIED IN PART, as indicated in the above-referenced order.

It is so ORDERED.

SIGNED this 22nd day of March, 2019.



XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE